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03/011 EP

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

03405152.4-1238-

Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

ABB Technology AG

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

☒ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract:

1

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Y	WO 01 29714 A (SOZZI LUIGI ;TORMENE GUIDO (IT); ABB RICERCA SPA (IT); GORLA FAUST) 26 April 2001 (2001-04-26) * page 1, line 4 - line 15 * * page 2, line 16 - page 3, line 28 * * page 5, line 23 - page 6, line 2 * * page 6, line 14 - page 7, line 5 * * page 7, line 15 - page 8, line 9 * * page 8, line 25 - line 30 * * page 9, line 8 - line 17 * * page 9, line 23 - page 10, line 11 * ---	1-15	G06F17/50
Y	WO 94 12944 A (PARAGON CONCEPTS INC) 9 June 1994 (1994-06-09) * page 5, line 22 - page 6, line 2 * * page 7, line 5 - line 8 * * page 7, line 14 - line 15 * * page 7, line 16 - line 19 * * page 20, line 9 - line 11 * * page 20, line 18 - line 23 * ---	1-15	
A	WO 94 06087 A (NUTTALL DAVID J H ;BREHM BERTRAM G (US)) 17 March 1994 (1994-03-17) * abstract * * page 3, line 16 - page 4, line 3 * * page 10, line 1 - line 5 * * page 10, line 13 - line 18 * * page 27, line 7 - line 21 * * page 28, line 3 - line 6 * ---	1,4,8,9	TECHNICAL FIELDS SEARCHED (Int.Cl.7) G06F
A	US 2002/042696 A1 (GARCIA GATHEN ET AL) 11 April 2002 (2002-04-11) * abstract * * page 1, paragraph 12 * * page 2, paragraph 29 * * page 3, paragraph 34 - paragraph 35 * * page 5, paragraph 50 * * page 5, paragraph 54 * --- -/--	1,4,6,7	
The present search report has been drawn up for all claims			
Place of search THE HAGUE		Date of completion of the search 17 September 2003	Examiner De Smet, M
CATEGORY OF CITED DOCUMENTS X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document			



DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.7)
A	US 5 293 479 A (SMITH JIM ET AL) 8 March 1994 (1994-03-08) * abstract * * column 2, line 37 - line 42 * * column 4, line 45 - line 52 * * column 8, line 58 - column 9, line 15 * * column 11, line 43 - line 58 * -----	1,6,7	
A	ATANACKOVIC D ET AL: "AN INTEGRATED KNOWLEDGE-BASED MODEL FOR POWER-SYSTEM PLANNING" IEEE EXPERT, IEEE INC. NEW YORK, US, vol. 12, no. 4, 1 July 1997 (1997-07-01), pages 65-71, XP000720771 ISSN: 0885-9000 * the whole document * -----	1,4,6,7	
The present search report has been drawn up for all claims			TECHNICAL FIELDS SEARCHED (Int.CI.7)
Place of search			Examiner
THE HAGUE			De Smet, M
Date of completion of the search			
17 September 2003			
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			
T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ----- & : member of the same patent family, corresponding document			

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 03 40 5152

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

17-09-2003

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 0129714	A	26-04-2001	IT	MI992164 A1	16-04-2001
			AU	7912800 A	30-04-2001
			WO	0129714 A2	26-04-2001
			EP	1224581 A2	24-07-2002
WO 9412944	A	09-06-1994	AU	5670394 A	22-06-1994
			JP	8506911 T	23-07-1996
			WO	9412944 A1	09-06-1994
			US	5544360 A	06-08-1996
WO 9406087	A	17-03-1994	AU	4843693 A	29-03-1994
			CA	2143652 A1	17-03-1994
			EP	0658260 A1	21-06-1995
			WO	9406087 A1	17-03-1994
			US	5604892 A	18-02-1997
US 2002042696	A1	11-04-2002	NONE		
US 5293479	A	08-03-1994	AU	2309792 A	11-02-1993
			CA	2112977 A1	21-01-1993
			EP	0598748 A1	01-06-1994
			WO	9301557 A1	21-01-1993



This application is covered by the extended European search report pilot project at present running within the European Patent Office, applied to all European patent applications filed as first filing and searched on or after 01.07.03. Under this project the EPO issues together with the search report an opinion on whether the application and the invention to which it relates meet the requirements of the EPC. This non-binding opinion is issued free of charge as a service. This opinion may be used as the basis for an informed decision as to whether it is desired to pursue the application further or not.

For further details of this pilot project, the applicant's attention is directed to the Official Journal edition 5/2003. If any further immediate questions or comments arise the EPO Customer Services: +31-70-340 4500 or +49-89-2399 2828 can be contacted.

**The attached opinion reveals that the application or the invention to which it relates appear not to meet the requirements of the Convention (see comments on enclosed Form 2906).**

If the applicant wishes to continue with this application the examination fee must be paid. Where appropriate amendments can be filed to address the objections raised in the opinion, thus shortening the overall procedure. If no amendments are filed, the opinion will be re-issued as the first official communication under Article 96(2) and Rule 51(2) EPC.

If the examination fee has already been paid and the right to the communication under Article 96(1) EPC has been waived for this application, the first official communication under Article 96(2) and Rule 51(2) EPC will be issued promptly.



The examination is being carried out on the following application documents:

Text for the Contracting States:

AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT SE SI SK TR LI

Description, pages:

1-17 as originally filed

Claims, No.:

1-15 as originally filed

Drawings, sheets:

1/4-4/4 as originally filed

1. The following documents D1 and D2 are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: WO-A-0129714

D2: WO-A-9412944

2. The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of claims 1-9 and of related claims 10-15 does not involve an inventive step in the sense of Article 56 EPC.

3. Document D1, which is considered to represent the most relevant state of the art, discloses a method for performing the design of a power supply facility further enabling computer-aided tendering, and a data processing device implementing said method. The subject-matter of claims 1 (b), 2 (b), 4, 6, 7, 8 and 9 is disclosed in the following passages of document D1:

page 1, lines 4-15

page 2, line 16 to page 3, line 28

page 5, line 23 to page 6, line 2

page 6, line 14 to page 7, line 5

page 7, line 15 to page 8, line 9

page 8, lines 25-30

page 9, lines 8-17

page 9, line 23 to page 10, line 11

The subject-matter of claim 1 differs from that of document D1 in that it further includes a multiple-index categorisation system for the modules.



Starting from document D1, the man skilled in the art would be faced with the problem of determining the most efficient method for the easy access and selection of components stored in the computerized medium. To solve the problem posed, he would consider documents related to computer filing systems providing file and data access to users, leading him to document D2 (the references in parentheses applying to this document). He would recognise the method for accessing files providing the user with an intuitive access by content-descriptive and overlapping categories as providing an efficient solution to the posed problem (page 5, line 22 to page 6, line 2). Implementing this feature to the method described in document D1 would therefore not require an inventive activity.

Document D2 further discloses the automatic exclusion, during the search of a file, of categories not leading to any data (page 7, lines 14-15 ; page 20, lines 9-11; page 20, lines 18-23). The man skilled in the art would regard it as advantageous to include this feature as an enhancement to the device of document D1.

4. The remaining additional features of claims 2, 3 and 5, related to the specific implementation of the categorisation system, are mere design options in varying terminology from which the skilled person would choose, without the exercise of inventive skill, when selecting the user-defined categories (page 7, lines 5-8 and lines 16-19). Hence no inventive step is present in the subject-matter of claims 2, 3 and 5.

5. The subject-matter of claims 10-15 correspond in terms of use, method and computer programme to that of claims 1-9. The previously raised objections therefore also apply, *mutatis mutandis*, to claims 10-15 which are thus not allowable under Article 52(1) EPC for lack of inventive step of their subject-matter (Article 56 EPC).

6. Although claim 7 is phrased as a dependent claim, it actually specifies a data processing device which does not include all the features of claim 6. Claim 7 should therefore be reformulated as an independent claim, or include all features of claim 6, or be deleted.

7. It is not at present apparent which part of the application could serve as a basis for a new, allowable claim.

8. Should the Applicant perceive there to be subject-matter in the present application which he wishes to pursue, an independent claim should be filed taking account of Rule 29(1) EPC. The Applicant should also indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the significance thereof. Furthermore the Applicant is requested to take into consideration the following remarks.

8.1. Documents D1 and D2, which appear to represent the most relevant prior art, should be acknowledged in the description (Rule 27(1)(b) EPC).





8.2. The vague and imprecise statement in the description on page 15, last paragraph ("without departing from the spirit of the invention and within the scope and range of equivalents of the claims") implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity of the claims (Article 84 EPC) when used to interpret them (see the Guidelines, C-III, 4.3a). This statement should therefore be amended to remove this inconsistency.

8.3. When filing amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Art 123(2) EPC).

8.4. To facilitate examination as to the requirements of Art 123(2) EPC, the applicant is requested to clearly identify the amendments carried out, irrespective of whether they concern amendments by addition, replacement or deletion, and to indicate the passages of the application as filed on which these amendments are based.

If the applicant regards it as appropriate these indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed.